

EXHIBIT A

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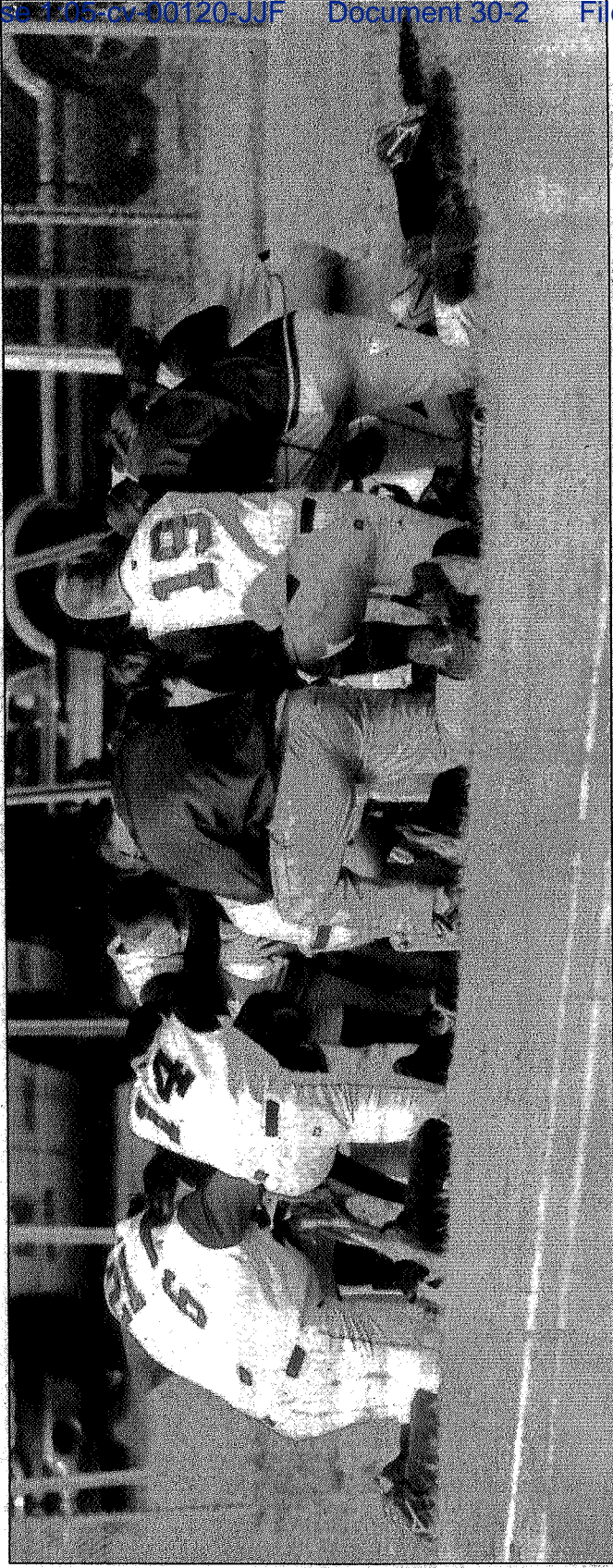
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• FINAL EDITION

MONDAY April 11, 2005

In Sussex school district, many Christian parents don't understand all the fuss Suit against prayer spurs backlash

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Indian River High School baseball players take a knee before a game last month. The Indian River School District is being sued over school prayer.

The News Journal/SCOTT NATHAN

Jewish family: 'An environment of religious exclusion' created

By SEAN O'SULLIVAN
The News Journal

SELBYVILLE — At the corner of Church and West Church streets, Oliver Hitchens, 72, paused as he considered what place prayer has in public schools.

"I'm for religion in schools," he said with thoughtful conviction. "That is the way I was raised. Keep it in."

Many people in Hitchens' community appear to agree, rallying behind the local school district accused in a federal lawsuit of violating a Jewish fam-

ily's right to be free from state-sponsored religion, in this case, Christianity.

Hitchens, like others in the Indian River School District, believes the central issue is not the Jewish family's right to be free from Christian prayers. They believe it is about the right of Christian students to pray where and when they want.

The Dobrich family, who filed the lawsuit against the Indian River School District in February in U.S. District Court in Wilmington, could ignore the prayers, said Donna

DeForest, 62, of Millsboro.

"I just don't think they should be so narrow-minded," Hitchens said.

Selbyville, which is in the heart of the Indian River School District, is on the southern border with Maryland. About as far away from Wilmington as one can get and still be in Delaware, it has a quaint downtown with clean sidewalks anchored by a locally owned clothing store.

A sign on one office says it is closed from 12:30 to 1:30 p.m. for lunch.

People who live here feel safe, far away from the dangers of the world. When Hitchens stopped

to talk at the post office, he left his pickup truck windows down and the engine running.

The environment exists, many residents said, because of the presence of God in the schools. "These kids need it," said Lori Catalan, 42, of Selbyville.

But the lawsuit brought by Mona and Marco Dobrich on behalf of their children, and a second unnamed family, said prayer at school board meetings, athletic events, banquets and graduation ceremonies has created "an environment of religious exclusion."

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Mona Dobrich said she felt isolated when Christian prayers were said at events. A6

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Religion: Christians say they have rights as well

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The lawsuit accuses the district of promoting Christianity in the classroom. It claims that students who participate in the Bible club at Selbyville Middle School receive preferential treatment, and at least two teachers espoused their religious beliefs in class.

Dobrich brought her concerns to the school board last year - which then adopted new policies. But the lawsuit said the policies have not been enforced and have not been available to parents who have asked for copies. Because she spoke up, Dobrich said, her family was persecuted and sometimes threatened. "Everything changed," she said. Friends were suddenly cold to her and her family, sometimes refusing to make eye contact in public.

At least one person who supports Dobrich, Dr. Jeff Hawtof, considered retracting his comments, saying that once Dobrich spoke publicly, she committed "social suicide."

Hawtof knew others who supported Dobrich and her lawsuit but have refused to come forward, fearing that it would alienate them and, potentially, their livelihoods.

The Indian River School District is the largest in the state geographically, stretching from the beaches across 360 square miles to Millsboro and Georgetown. The student population is about 7,800. Like much of Sussex County, the district has seen substantial growth over the past decade: Its student population was about 6,900 in 1995.

More diversity

It might seem the lawsuit pits old, conservative Sussex County against a newer, more urban - and more liberal - population that has flocked to the district's resort areas.

But the reality is more complex, according to many in the region.

While population increases have brought more diversity to the district - the percentage of Hispanic students has grown from 8.3 percent to 12.6 percent in five years - not all new residents are left-leaning. Many are conservative, said the Rev. Jack Abel, president of the Lewes-Rehoboth Association of Churches.

Voters in the area chose President Bush by a nearly 2-1 ratio in the 2004 election.

And the Dobrich family was not new to the district: Mona Dobrich went to Indian River public schools as a child.

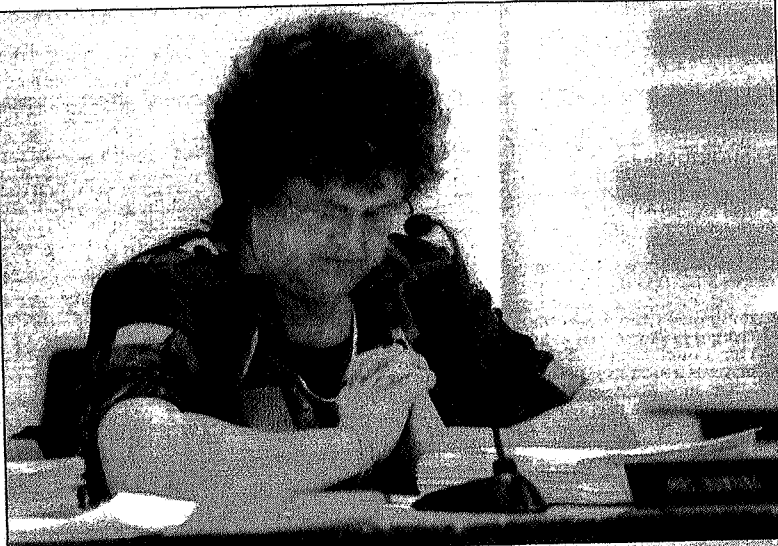
Some district residents said they were sorry that the Dobrich family felt excluded when a Christian prayer was offered at last year's graduation. But they don't see that as any reason to change.

The Rev. Lehman Romlin, the pastor of Zoar United Methodist Church, conceded that if a Jewish family feels discriminated against when Christian prayers are offered at school, there's a problem. But "the answer is not me giving up the Christ to assuage someone else's feelings," he said.

"They pray in Congress, so why can't we pray in schools?" asked Virginia Smith, 69, of Gumboro.

The feelings of one family should not overrule 1,000, said Bruce Scott, 58, the owner of Scotty's clothing store in downtown Selbyville. "That's ridiculous."

A message board outside



Indian River School District board member Nina Lou Bunting bows her head in prayer before a meeting. The News Journal/SCOTT NATHAN



Sandi Brooks, a bookstore owner in Millsboro, backs the district. She hopes "Christians will stand up and make a difference."

Scotty's, which Scott uses to post words of wisdom rather than discount specials, reminded viewers recently that "The greatest right is the right to be wrong."

It's a sentiment he does not think applies in this case. "If they don't like it - go to another school," Scott said, or leave the area.

New home

Moving away is what Mona Dobrich did, settling in Wilmington and sending her son to a private school in Philadelphia.

Filing the lawsuit was "going too far," said Charles J. Huber, 84, of Fenwick Island. He thinks the case is more about "getting their name in the newspaper."

The solution that Josette Harkness, 37, of Dagsboro, would have preferred was the offering of a Jewish prayer at graduation. "If they would have asked, no one would have said no," she said.

"And it was wrong to ask us not to bless our children," she said. Harkness has four children in Indian River schools.

Whatever the cause of the lawsuit, Sandi Brooks, the owner of Amazing Grace Christian Books and Treasures in Millsboro, hopes the district fights it vigorously. "I pray ... Christians will stand up and make a difference," she said.

School district officials declined to comment about the lawsuit or any issues raised by the Dobrich family.

At least one school board member, Vice President Ronald L. Helms, is being represented by a conservative civil rights group, The Rutherford Institute. Wilmington attorney Thomas S. Neuberger is working pro bono for Rutherford.

"Tolerance is a two-way street," Neuberger said. "The majority's views are entitled to tolerance."

Attorney John D. Balaguer

recently put in his appearance on behalf of the rest of the board. Balaguer was hired by the district's insurance company, and he said he is not working with any interest group.

The events in the lawsuit appear to be distorted, Neuberger said, and it seems designed "to achieve the political end of eradicating all reference to religion from public life and our schools, even voluntary noncoercive activity."

'Impressionable students'

When she filed the lawsuit, Mona Dobrich said that was not her goal. "We simply don't think it is right for the district to impose a particular religious view on impressionable students," she said.

John Whitehead, president and founder of the Rutherford Institute, said a ban of all religious activity is not the answer.

"I think the school is trying to do that with an all-inclusive prayer. It leaves it up to anyone in the audience the way they see it," he said.

He said most cases like this one are settled before a lawsuit is filed. Because this one was not, it holds the potential to significantly shape the law.

Working with the Dobrich family is the American Civil Liberties Union, which contacted Wilmington attorney Thomas Allingham to take the case pro bono.

"The Bill of Rights was written to protect the rights of the minority," said Drewry Fennell, executive director of ACLU Delaware. "There are certain things that the founders of our country felt were so central to our freedom that they ought not be interfered with by anyone."

Though they may be in a minority, some area residents also support the Dobrich family.

Jackie Tulloch, who is Jewish and has lived in southern Delaware for about 10 years, said she too has faced discrimination.

As an adult, she said, she can ignore things that are offensive to her faith. But she said to force such things on children is wrong. "They don't have the wherewithal or ability to stand up and say 'This is not right' or 'I don't agree,'" she said.

A resident of the Indian River School District, Tulloch hopes the lawsuit is successful,

but expects she will have to send her son, now 2, to private school. "It is ignorance, flat out, and with that ignorance comes intolerance," she said.

The Dobrich family details in the lawsuit the repercussions for speaking out. They said their son was taunted and called "Jew-boy" by his classmates. The family also received threats.

The second family participating in the lawsuit said in court papers they did not want to be named because they feared retaliation.

Rabbi Morton Kaplan at Temple Bat Yam, just 8 miles away from Selbyville in Berlin, Md., said he does not believe the area is anti-Semitic, and he has not heard of any discrimination from members of his congregation who live in the Indian River district. "That does not mean it has not occurred," he said.

Kaplan said the smart thing to do is prohibit religious expression in public schools. "That is the law of the land, and I completely agree with that," he said.

Whitehead at the Rutherford Institute and others suggested that Dobrich was too impatient in filing her suit. Big changes don't happen overnight, they said.

Mark Harris, an associate Episcopal pastor who heads the Coalition for Tolerance and Justice, disagreed. The civil rights movement should have taught people that it's wrong to demand patience from those who feel they have been treated unjustly, he said.

Mona Dobrich grew up in the district and experienced bias against her faith, he said, and she spoke up because she saw it happening again. She did not want her children to have to suffer through it as well.

"I think a lifetime of patience on her part is long enough," he said.

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